



OFFICE OF THE MAYOR
LOUISVILLE, KENTUCKY

GREG FISCHER
MAYOR

April 29, 2015

Allison Lundergan Grimes
Commonwealth of Kentucky Secretary of State
700 Capital Avenue, Suite 152
Frankfort, KY 40601

RECEIVED AND FILED

DATE May 5, 2015

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kristen Alderson

RE: 2014 Annexation Approvals by the Metro Council of the Louisville/Jefferson
County Metro Government ("Metro Council")

Dear Secretary of State:

KRS 67C.111(3) provides:

(3) Upon the adoption of a consolidated local government in a county containing a city of the first class, there shall be no annexations for a period of twelve (12) years by any city remaining in the county. After that time, any proposed annexation by a city in that county shall first receive the approval of the legislative council of the consolidated local government prior to the city proceeding under the provisions of KRS Chapter 81A. The city shall request the approval of the consolidated legislative council by ordinance. The consolidated legislative council's decision shall be made by ordinance and within sixty (60) days of the receipt of the request by the affected city. If an ordinance has not been enacted by the consolidated legislative council within sixty (60) days, the request for a city to proceed with an annexation proposal shall be deemed to be approved by the consolidated legislative council.

In 2014, the Metro Council approved six (6) different ordinances authorizing annexations within Louisville Metro as follows:

1. Metro Ordinance No. 087, Series 2014, authorizing Jeffersontown to annex 2 tracts of land as requested by Jeffersontown in Ordinance No. 1304-2014, and approved by Jeffersontown in Ordinance Nos. 1303-2014 and 1306-2014.
2. Metro Ordinance No. 215, Series 2014, authorizing Jeffersontown to annex property described as Chenoweth Hills Estates as requested by Jeffersontown in Ordinance No. 1318-2014 and approved by Jeffersontown in Ordinance No. 1326-2015.
3. Metro Ordinance No. 214, Series 2014, authorizing St. Matthews to annex 416 Springwood Lane, and 4905 and 4125 Massie Avenue, as requested by St. Matthews in Ordinance No. 14-13 and approved by St. Matthews in Ordinance No. 14-12.

4. Metro Ordinance No. 055, Series 2014, authorizing St. Matthews to annex 11 houses on Springwood Lane, as requested by St. Matthews in Ordinance No. 13-07 and approved by St. Matthews in Ordinance No. 14-01.
5. Metro Ordinance No. 160, Series 2014, authorizing Middletown to annex the Beckley Woods Subdivision, as requested by Middletown in Ordinance No. 14-16 and approved by Middletown in Ordinance No. 14-17.
6. Metro Ordinance No. 147, Series 2014, authorizing St. Matthews to annex the City of Richlawn, as requested by the City of St. Matthews in Ordinance No. 14-10 and the City of Richlawn in Ordinance No. 2014-04. The annexation question was submitted to the voters of the City of Richlawn on Election Day in November 2014. See page 17 of the Jefferson County Board of Elections Official Results of the General Election held November 4, 2014, which indicate that the Richlawn annexation by St. Matthews was opposed by more than 55% of the voters. Therefore, pursuant to KRS 81A.420(3), the annexation was ineffectual.

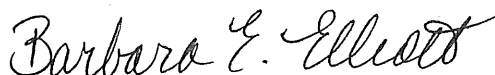
Enclosed with this letter are certified copies of the Metro Ordinances referenced in subparagraphs 1 through 5 above, the election results referenced in paragraph 6 above, and the materials submitted to Metro by the cities of Jeffersontown, St. Matthews and Middletown seeking Metro Council authorizations for the annexations. These materials include the items required to be filed by these cities with the Secretary of State and the County Clerk.

Due to the unique nature of a consolidated local government, Louisville/Jefferson County Metro Government is not deannexing the property sought to be annexed by cities located in Jefferson County. While the boundaries of the annexing cities will expand as a result of these annexations, the boundaries of Louisville Metro will remain unchanged. As such, there is no requirement that Metro submit or record any documentation under KRS Chapter 81A. We are providing the Metro Ordinances and other enclosed documentation to your office as a matter of information and convenience.

Finally, please note that regardless of when the cities' ordinances approving the annexations may have been adopted, annexations within Louisville Metro may not take effect until on or after January 6, 2015, which is 12 years after Louisville/Jefferson County Metro Government came into existence.

If you need any additional information, please call me at (502) 574-8134. Thank you for your assistance in this matter.

Sincerely,



Barbara E. Elliott
Assistant Counsel to the Mayor

Cc: Stephen Ott, Metro Council Clerk
Sarah Martin, Assistant Jefferson County Attorney

Materials accompanying paragraph #5



LOUISVILLE METRO COUNCIL
CLERK'S OFFICE

H. STEPHEN OTT
CLERK OF THE COUNCIL

I, H. STEPHEN OTT, CLERK OF THE METRO COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AND CUSTODIAN OF THE ORIGINAL ROLLS OF THE CITY OF LOUISVILLE ORDINANCES, JEFFERSON COUNTY ORDINANCES, LOUISVILLE JEFFERSON COUNTY METRO GOVERNMENT ORDINANCES, PUBLIC RECORDS, PAPERS AND DOCUMENTS OF THE FORMER BOARD OF ALDERMEN OF THE CITY OF LOUISVILLE, FISCAL COURT OF JEFFERSON COUNTY AND LOUISVILLE METRO GOVERNMENT, AND PURSUANT TO SECTION 83A.060 OF THE KENTUCKY REVISED STATUTES, I DO HEREBY CERTIFY THAT THE ATTACHED IS A FULL AND TRUE COPY OF:

ORDINANCE No. 160, Series 2014

AN ORDINANCE OF THE LOUISVILLE METRO COUNCIL TO APPROVE THE ANNEXATION BY THE CITY OF MIDDLETOWN OF THE SUBDIVISION KNOWN AS BECKLEY WOODS.

DATED THIS 18TH DAY OF FEBRUARY 2015

A handwritten signature in black ink, appearing to read "H. Stephen Ott", is written over a horizontal line.

H. STEPHEN OTT, COUNCIL CLERK
LOUISVILLE METRO COUNCIL
LOUISVILLE/JEFFERSON COUNTY
METRO GOVERNMENT

SEAL

ORDINANCE NO. 160, SERIES 2014

**AN ORDINANCE OF THE LOUISVILLE METRO COUNCIL
TO APPROVE THE ANNEXATION BY THE CITY OF
MIDDLETOWN OF THE SUBDIVISION KNOWN AS
BECKLEY WOODS.**

Sponsored By: Councilmembers Jerry T. Miller and Stuart Benson

WHEREAS, on August 21, 2014 the City Council of City of Middletown, Kentucky voted in favor of an ordinance to annex the Subdivision known as Beckley Woods (attached hereto as Exhibit A); and

WHEREAS, the City of Middletown filed a request on August 22, 2014 with the Office of the Metro Council Clerk requesting that the Louisville Metro Council approve the annexation of the property described above; and

WHEREAS, KRS 67C.111(3) requires the City of Middletown obtain approval of the annexation from Louisville Metro Council prior to the City of Middletown proceeding with the annexation requirements under KRS Chapter 81A; and

WHEREAS, KRS 67C.111(3) gives Louisville Metro Council the authority to approve or deny annexation requests "by ordinance and within sixty (60) days of the receipt of the request" and if Louisville Metro Council does not act within "sixty (60) days, the request for a city to proceed with an annexation proposal shall be deemed to be approved".

**BE IT RESOLVED BY THE LEGISLATIVE COUNCIL OF THE
LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (THE COUNCIL) AS
FOLLOWS:**

SECTION II: This ordinance shall take effect on the date provided in KRS 67C.111(3).

10/9/2014
Approval Date

10/9/2014
Approval Date

Approval Date _____

**LOUISVILLE METRO COUNCIL
READ AND PASSED**
October 9, 2014